

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2018, Legislative Day No. 5

Bill No. 14-18

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All Councilmembers

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By the County Council, March 5, 2018

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A BILL  
ENTITLED

AN ACT concerning

County Charter – The Administrative Services

FOR the purpose of repealing an obsolete provision relating to the duties of the County Attorney;  
repealing a provision relating to the manner of the removal of the Director of Planning;  
updating a reference to the modern name of the Department of Planning; repealing the  
requirement that the County Executive serve as a member of the Boards of Recreation  
and Parks and Social Services; repealing an obsolete reference to the County Home;  
repealing obsolete provisions relating to the manner of removing the Chief of Police and  
the Fire Chief; and generally relating to the Baltimore County Charter.

BY repealing and re-enacting, with amendments  
Sections 508, 522, 533(a), 540, 541, and 542  
Article V – The Administrative Services  
Baltimore County Charter

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
2 COUNTY, MARYLAND, that under the authority granted to it by Section 1202 of the Baltimore

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter stricken from existing law.  
~~Strike-out~~ indicates matter stricken from bill.  
Underlining indicates amendments to bill.

1 County Charter, Sections 508, 522, 533, 540, 541, and 542 of Article V – The Administrative  
2 Services, of the Baltimore County Charter, be and they are hereby proposed and to be repealed  
3 and re-enacted, with amendments to read as follows:

4

5 Article V. The Administrative Services

6

7 Sec. 508 – Powers and duties of the county attorney.

8 The county attorney shall be the legal advisor of the county and of its several offices,  
9 departments, boards, commissions and other agencies. Except as provided in section 510 of this  
10 article, no office, department, board, commission or other agency or branch of the county  
11 government shall have any authority or power to employ or retain any legal counsel other than  
12 the county attorney. The county attorney shall also be the legal adviser and legislative  
13 draftsman for the county council[; shall be responsible for the maintenance of the journal of the  
14 county council]. The county attorney shall give advice and opinions on any legal questions  
15 affecting the interest of the county when those questions are submitted:

16 (1) By written request of the county council,

17 (2) By written request of the county executive or the county administrative officer, or

18 (3) With the approval of the county administrative officer, by written request of the

19 head of any office or department in the administrative services. All deeds, bonds, contracts,  
20 releases and other legal papers and instruments involving the interests of the county shall, before  
21 their execution or delivery, be submitted to the county attorney for approval in writing as to their  
22 form and legal sufficiency. The county attorney shall have such additional duties as may from

1 time to time be provided by law.

2

3 Sec. 522. – Organization of Office and Selection of its Components.

4 The [office] DEPARTMENT of planning [and zoning] shall be composed of a director  
5 of planning [and zoning] who shall administer the [office] DEPARTMENT, a planning board,  
6 a zoning commissioner and one or more deputy zoning commissioners. The county executive  
7 shall appoint the director of planning [and zoning], the zoning commissioner, and one or more  
8 deputy zoning commissioners, subject to confirmation by the county council. [The director of  
9 planning and zoning shall serve until he shall resign or be removed upon the recommendation  
10 of the county executive approved by a majority plus one of the total number of county council  
11 members established by this Charter.] The zoning commissioner and each deputy zoning  
12 commissioner shall serve terms expiring June 1 of the year following the election of a county  
13 executive provided by this Charter or until their successors are appointed and confirmed, but  
14 they may be removed at any time upon the recommendation of the county executive approved  
15 by a majority plus one of the total number of county council members established by this  
16 Charter.

17 The planning board shall consist of 15 members serving three-year terms, subject,  
18 however, to the requirement that the terms of five members shall end each year. Eight (8)  
19 members of the planning board shall be appointed by the county executive, and each member  
20 of the county council shall appoint one member who shall be a resident of the councilman's  
21 district. The county executive shall appoint the chairman and vice-chairman subject to  
22 confirmation by the county council. At least one planning board member shall reside in each

1 councilmanic district. No member of the planning board shall hold any other salaried position  
2 in the county government while a member of the planning board.

3

4 Sec. 533 – Board of recreation and parks.

5 (a) Composition and appointment. There shall be a board of recreation and parks  
6 which shall consist of a representative selected from among the qualified residents of each  
7 councilmanic district plus three additional members selected from among the qualified residents  
8 of the entire county; provided, however, that not more than two members thereof shall reside in  
9 any one councilmanic district; and provided further, that no member of the board shall be  
10 required to vacate his office prior to the expiration of the term for which [he] THE MEMBER  
11 was appointed by reason of any revision in the boundary lines of the councilmanic districts. The  
12 members of the board shall be appointed by the county executive and shall have resided within  
13 the county for a period of three years preceding their appointment. A minimum of three  
14 members of the board shall be appointed with due regard to their training, experience and interest  
15 in the natural sciences and conservation. Additional qualifications and the terms of office of  
16 members of the board shall be as provided by law[, and the county executive shall serve thereon  
17 as an ex officio member].

18

19 Sec. 540 – Composition; functions; administration under state and county law.

20 The department of social services shall consist of the board of social services, the director  
21 of social services and all offices, agents and employees under their authority and supervision.  
22 The members of the county board of social services shall be appointed and shall do and perform

1 such duties and functions as may from time to time be provided by state law. [The county  
2 executive shall serve as a member of said board ex officio instead of a county commissioner as  
3 heretofore.] In addition to all duties and functions heretofore performed by the board of social  
4 services it shall be responsible for [the operation and development of the county home and] such  
5 other related social services activities as may be assigned thereto by directive of the county  
6 administrative officer or by legislative act of the county council not inconsistent with general  
7 law. All references in this Charter to the head of an office or department shall be construed as  
8 including the director of social services as head of the department of social services, but nothing  
9 in this Charter contained shall be held or construed as affecting or in anywise changing the  
10 administration of the county social services program in accordance with the requirements of state  
11 law.

12

13 Sec. 541. – Chief of Police.

14 (a) Duties. The police department shall be administered by the chief of police of  
15 Baltimore County, who shall have and perform such other duties and functions as may, from  
16 time to time, be assigned by directive of the county administrative officer or by legislative act  
17 of the county council.

18 (b) Term. The police chief shall continue to hold office until such time as [he] THE  
19 POLICE CHIEF may resign or be removed pursuant to SECTION 404(B) [the provisions] of  
20 this Charter.

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1 Sec. 542. – Fire Chief.

2 (a) Duties. The fire department shall be administered by the fire chief of Baltimore  
3 County, who shall be responsible for the administration of the fire department and shall have  
4 and perform such other duties and functions as may, from time to time, be assigned thereto by  
5 directive of the county administrative officer or by legislative act of the county council.

6 (b) Term. The fire chief shall continue to hold office until such time as [he] THE  
7 FIRE CHIEF may resign or be removed pursuant to SECTION 404(B) [the provisions] of  
8 this Charter.

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11 SECTION 2. AND BE IT FURTHER ENACTED, that pursuant to Section 1202 of the  
12 Baltimore County Charter, the question of whether or not the Charter is to be amended as  
13 proposed by this Act shall be submitted to the voters of Baltimore County at the general election  
14 on November 6, 2018, and that this Act shall be published in at least two newspapers of general  
15 circulation in the County for five successive weeks prior to the election.

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17 SECTION 3. AND BE IT FURTHER ENACTED, that upon ratification by the voters  
18 of Baltimore County, this Act shall become effective from and after the thirtieth day following  
19 said election.